

1 Law Office of Adam Pennella
Adam Pennella, SBN 246260
2 717 Washington Street
Oakland, CA 94607
3 P. (510) 451-4600
4 F. (510) 451-3002
adam@avplawoffice.com

5 Counsel for Defendant
6 ANGEL RAMIREZ

7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
9

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 vs.

13 AUSENCIO ALVAREZ CORTEZ,
14 ANGEL ISMAEL RAMIREZ,

15 Defendants
16

Case No.: 20-CR-229 TLN

STIPULATION AND ORDER TO
CONTINUE STATUS CONFERENCE
AND EXCLUDE TIME UNDER THE
SPEEDY TRIAL ACT

17 It is hereby stipulated by and between counsel for the United States and counsel for the
18 defendants Ausencio Cortez and Angel Ramirez that the status conference scheduled for
19 November 30, 2023, be continued to March 14, 2024, at 9:30 a.m. It is further stipulated that
20 time be excluded under the Speedy Trial Act through March 14, 2024.

21 This parties stipulate to the continuance for several reasons. Counsel for Defendant
22 Ramirez has a conflict: a “no time waiver” 3 defendant murder preliminary hearing, which will
23 take multiple days, has been set on November 29, 2023 (which is the 9th day of the 10-day
24 preliminary hearing clock). Moreover, Mr. Ramirez injured himself at work and is on disability;
25 as a result, travel from Southern California to Sacramento will be onerous. Moreover, the parties
26 request the continuance to allow additional time for defense counsel to meet and confer with the
27 defendants, resolve any outstanding discovery issues, conduct investigation, and discuss
28 potential resolution.

For these reasons, the parties stipulate and agree that continuing the status appearance and excluding time through March 14, 2024, is appropriate, and is necessary for the effective preparation and continuity of defense counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties further stipulate and agree that the ends of justice served by excluding the time through March 14, 2024, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A), (B)(iv).

SO STIPULATED.

Phillip A. Talbert
United States Attorney

Dated: November 22, 2023

/s/ James Conolly
James Conolly
Assistant United States Attorney

Dated: November 22, 2023

/s/ Dina Santos
Dina Santos
Attorney for Ausencio Alvarez Cortez

Dated: November 22, 2023

/s/ Adam Pennella
Adam Pennella
Attorney for Angel Ismael Ramirez

ORDER

The Court has read and considered the Stipulation Regarding Excludable Time Period Pursuant to Speedy Trial Act, filed by the parties in this matter. The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that provide good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161. The status hearing in the above matter is ordered continued, and time is excluded, to March 14, 2024, at 9:30 a.m.

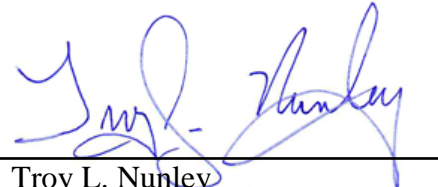
The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in a speedy trial; and (ii) failure to grant the

1 continuance would deny defense counsel the reasonable time necessary for effective preparation,
2 taking into account the exercise of due diligence.

3 Nothing in this Order shall preclude a finding that other provisions of the Speedy Trial
4 Act dictate that additional time periods are excluded from the period within which trial must
5 commence.

6 **SO ORDERED.**

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8 Dated: November 22, 2023

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10 Troy L. Nunley
11 United States District Judge
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